

## REMARKS

In the Office Action dated October 9, 2004, the Examiner rejected claims 1-5 under 35 U.S.C. 103(a) as being patentable over Kontothanassis et al. (U.S. Patent No. 6,341,339) and Slaughter (U.S. Patent No. 6,058,400) in further view of Yanai et al. (Yanai, U.S. Patent No. 5,742,792). The Examiner also rejected claims 6-19 under 35 U.S.C. 103(a) as being patentable over Kontothanassis et al. (U.S. Patent No. 6,341,339) and Slaughter (U.S. Patent No. 6,058,400) in further view of Choquier et al. (U.S. Patent No. 5,774,668).

### Kontothanassis et al. considers a shared memory network but not a symbiotic computing system

Kontothanassis et al. is directed to maintaining the coherency of data within a shared memory network including a number of nodes (Abstract). Amended claim 1 is directed to maintaining coherency of a number of instances of a managed resource, which is wholly different from managing a shared memory. The symbiotic partners of amended claim 1 **do not share** the managed resource but instead each maintains an instance of the managed resource. The Examiner asserts that Kontothanassis et al. "teaches substantial features of the invention as claimed" and proceeds to equivalence its teaches with multiple elements of amended claim 1 (Action at paragraph 3). This assertion is incorrect because Kontothanassis et al. discloses a shared memory network and not the cited elements of the symbiotic computing system of amended claim 1.

### Slaughter considers a cluster file system and not a symbiotic computing system

Slaughter is directed to maintaining the coherency of a cluster file system, the cluster file system being a file system that is shared by a plurality of nodes. (Abstract) As stated above,

claim 1 is directed to maintaining coherency of a number of instances of a managed resource, which is wholly different from managing a cluster file system, or any file system, shared by a number of nodes. The symbiotic partners of claim 1 **do not share** the managed resource but instead each maintains an instance of the managed resource. While Slaughter does disclose maintaining coherency of a cluster file system it does not disclose maintaining coherency of a plurality of instances of a managed resource within a symbiotic computing system. Thus, Slaughter fails to meet the shortcomings of Kontothanassis et al.

Yanai considers remote data mirroring but does not disclose the elements of amended claim 1 and fails to meet the shortcomings of Kontothanassis et al. and Slaughter

Yanai addresses the remote mirroring of data. Amended claim 1 addresses maintaining coherency of a plurality of instances of a managed resource. The concept of data mirroring has some similarities to the symbiotic computing system of amended claim 1. However, Yanai fails to meet the shortcomings of Kontothanassis et al. and Slaughter, as will be described immediately below.

The cited references fail to disclose all elements of claim 1 either singularly or in combination.

In particular, none of the references discloses "a plurality of symbiotic partners communicatively coupled with one another via a communication link that may be non-secure" as required by amended claim 1. Further, none of the cited references disclose "producing respective actions based upon the respective input and storing the respective input, wherein the respective actions differ from the respective input to mask content of the respective input" as required by amended claim 1. Finally, none of the cited references disclose using actions to affect instances of the managed resource to maintain coherency of the managed resources such

that when each of the symbiotic partners "have used all outstanding respective actions to affect their respective instances of the managed resources, all instances of the managed resource are identical."

### CONCLUSIONS

For the reasons cited above, amended claim 1 is allowable. All claims depend from claim 1 and are allowable for these same reasons. Further, many of the dependent claims include additional limitations that further distinguish from the cited references. For example, claim 16, which depends from claim 1, requires that actions be investigated to determine whether they are consistent, a limitation not disclosed by the cited references. Claim 18, which depends from claim 16, requires ordering of actions.

All pending claims are now in a condition for allowance. A notice of allowance is courteously solicited. Please direct any questions or comments to the undersigned attorney.

Respectfully submitted,

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